

12/31/48
BTA
RR.

OFFICE OF SELECTMEN

WESTBOROUGH



MASSACHUSETTS

December 1, 1948

Chairman
Board of Selectmen
Town of Southborough, Mass.

Dear Sir:

In answer to your letter of November 30, 1948 will say that a letter of protest was sent to the Dept. of Public Utilities as well as the Boston and Albany Railroad Co. in protest of the action taken to curtail our passenger train service.

We thank you for your letter and interest in this matter which we hope will get results.

Respectfully,

Board of Selectmen

Wm. S. [Signature]
Clerk for Board.



WILLIAM I. RANDALL, Chairman
VICTOR H. GALVANI, Clerk
JOHN J. BRADY

Town of Framingham

Massachusetts
Selectmen's Office

December 1, 1948.

Board of Selectmen
Southborough, Mass.

Gentlemen:

Enclosed, herewith, is copy of letter
which we have forwarded to the Boston & Albany
R.R.

We are also notifying the Department of
Public Utilities of our objection to the
curtailment of this service.

Very truly yours,
BOARD OF SELECTMEN

George J. Sullivan

EXECUTIVE SECRETARY

ENC.
GJS/ABH

Rec'd 12/2/48

Btd
RR

copy

December 1, 1948.

Boston & Albany R.R.
South Station
Boston, Mass.

Gentlemen:

We wish to register our strong opposition to the discontinuance of passenger trains between Boston and Springfield.

We are of the opinion that passenger service between these points is most essential to the welfare of our town and its citizens. Many people employed in Framingham must use this transportation in going to and from work, and we ask you to reconsider your action and at least postpone the curtailment of this service until the Department of Public Utilities hold a hearing on this matter.

Very truly yours,

William I. Randall
Victor H. Galvani
John J. Brady

BOARD OF SELECTMEN

GJS/ABH

B+A
P.R.

November 20, 1948

Chairman
Board of Selectmen
Town of Westboro, Mass.

Dear Sir:

It has come to the attention of this Board that on December 5th, the Boston and Albany Railroad Co. proposes to discontinue ten of its passenger trains between Boston and Worcester and Springfield. It is the opinion of this Board that this action is the beginning of complete curtailment of local passenger service on this line.

We feel that this passenger service is absolutely essential and that such procedure is contrary to the best interests of all in this area.

We, therefore, strenuously oppose this action and feel that an organized and concerted protest should be made to the Department of Public Utilities.

I hope that our Board can count on your cooperation in this matter.

Very truly yours,

Philip W. Burke, Chairman

PWB:b

Letter also to
Chairman, Grafton
acknowledged

Hon. Charles F. Jeff Sullivan, Mayor
City of Worcester, Mass.

Dear Sir:

It has come to the attention of this Board that on December 5th the Boston and Albany Railroad Co. proposes to discontinue ten of its passenger trains between Boston and Worcester and Springfield. It is the opinion of this Board that this action is the beginning of complete curtailment of local passenger service on this line.

We feel that this passenger service is absolutely essential and that such procedure is contrary to the best interests of all in this area. We, therefore, strenuously oppose this action and feel that an organized and concerted protest should be made to the Department of Public Utilities.

In view of the fact that many of our residents and residents of other towns in this area use this the only means of transportation to and from their employment, and to and from your city, the only main shopping center, we respectfully urge you to use your efforts to prevent such action or to postpone such action until a hearing may be held before the Department of Public Utilities.

I thank you for your cooperation on this matter.

Very truly yours,

Philip W. Burke, Chairman

PWB:b

*same letter to
Electron - Haverham*

November 20, 1948

Department of Public Utilities
State House
Boston, Mass.

Gentlemen:

Our Board wishes to enter a protest to the action of the Boston and Albany Railroad Co. in curtailing its passenger service from Boston to Springfield, effective December 5th, 1948.

This local passenger service provided by the Boston and Albany Railroad Co. is the only means of transportation afforded those in the Cordaville and Southville sections of Southborough. These residents rely on this transportation to get to and from their places of employment and to and from shopping centers. Discontinuance or curtailment of this service will be an injustice and cause great hardship to all in this area. We, feel, therefore, that no such action should be taken until some other means of transportation is available.

In view of the above facts, we strongly urge your department to prevent such action or to postpone such action until a hearing may be held.

Very truly yours,

Philip W. Burke, Chairman

PWB:b



The Commonwealth of Massachusetts

Department of Public Utilities

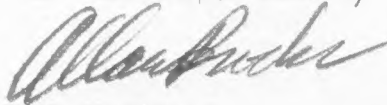
State House, Boston

September 19, 1941

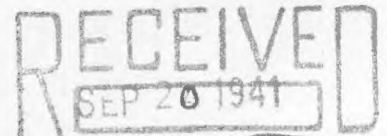
(D.P.U. 6570)

Upon the petitions of Senators Charles W. Olson and P. Eugene Casey, et als, in relation to the discontinuance of passenger train service on the Boston and Albany Railroad, the Department of Public Utilities will hold a public hearing at its hearing-room, 166 State House, Boston, on Wednesday, October 1, 1941, at 11:00 o'clock in the forenoon.

By order of the Department,


ALLAN BROOKS

Secretary



(H2)
notified Board
9/24/41

C O P Y

September 18, 1933.

Boston & Albany Railroad Company,
Room 344, South Station Building,
Boston, Massachusetts.

Gentlemen:

We would like to give you thirty days notice bringing to an end agreement between the Boston & Albany Railroad Company and the Town of Southborough dated September 2, 1924, in regard to the water pipe across land and location and track of Boston & Albany Railroad Company over Culvert 2806 in Southville.

We are giving you this notice as this pipe has been removed and the necessity of its use eliminated.

Yours very truly,

Board of Selectmen
Acting Chairman.

GHB/AMK

Please address any further correspondence to Mr. Charles L. Fairbanks, Clerk, Southborough, Massachusetts.

B-ta

May 10, 1932.

Boston & Albany Railroad
328 Lincoln Street,
Allston, Mass.

Gentlemen:

In accordance with yours of April 22, 1932,
you are hereby authorized to close up the
west sidewalk of your bridge '28.02 just east
of the Southville Station while making re-
pairs to the steel work.

Very truly yours,

Chairman.

AWH:K

2-45/20
136/364

1008
1200

BOSTON & ALBANY RAILROAD

N. Y. C. & H. R. CO., LESSEE

OFFICE OF SUPERVISOR OF BRIDGES & BUILDINGS
328 Lincoln Street, Allston, Mass.

April 22nd, 1932.

Chairman, Board of Selectmen,
Town of Southboro,
Southboro, Mass.

Dear Sir:-

We wish to make repairs to the steel sidewalk stringers on the west side of Main Street bridge, our bridge 28.02, just east of Southville station.

Will you please give me a permit to close up the west sidewalk of this bridge for four days while making repairs to the steel work, sending the permit to me as soon as possible.

Very truly yours,

H. A. Farnham

Supervisor of B&B.

HHF/J

Amos J. Looniks 2V2+ - 1, 2, 4 - 1. 5 + 7 x
 1 + - 7 8. 722 1/32 + 51 }
 1 0 1. 2 2 7 7 28.02 East
 7 2 6 6 2 1 5 5 x

Cordaville, Mass.,
May 6, 1931.

Board of Selectmen,
Southboro Mass.

Gentlemen:

The entrance to my property in Cordaville is over a crossing located on Boston and Albany RR. I understand that this road is a town road in the town of Southboro. This information was given to me by former selectman Frank D. Newton also by former supr. of roads Mr. Gould. The bridge located between Railroad and my place is maintained by the town.

This crossing is not regarded as a public crossing by the Boston and Albany Railroad and no warning of any kind is given on the approach of trains.

Could not you take this matter up with the railroad and see if something could not be done with regards to this. At present trains do not whistle or sound their bell approaching this point.

A. J. Dickens
Box 66,

Cordaville, Mass.

Crossing is located about $\frac{1}{4}$ mile east of Cordaville station.

May 16, 1931

Boston and Albany Railroad
South Station
Boston, Massachusetts

Gentlemen:

In the village of Cordaville, there is a crossing situated about one quarter of a mile east of the Cordaville Station over which there is a road leading to the house of one A. J. Aikens. We understand that this road is a Town way and is maintained by the Town. We think, therefore, that it is a public way with the contemplation of the statute concerning warning signals of approaching trains.

There have been many complaints by various persons who use the road, that there is no warning of the approaching trains and they have requested us to take up the matter with you with a view to have signals given.

Will you please let us hear from you.

Yours very truly,

Chairman.

May 16, 1931

Mr. A. J. Aikens
Box 66
Cordaville, Mass.

Dear Mr. Aikens:

Enclosed herewith is copy of letter we have written to the Boston & Albany Railroad which letter we have written at your request of May 6th.

We shall communicate with you further as soon as we hear from the railroad.

Yours very truly,

Chairman.

W.F.

BOSTON & ALBANY RAILROAD

N. Y. C. R. R. CO., LESSEE

GEORGE H. FERNALD, JR.,

COUNSEL

WM. L. PARSONS, ASSISTANT COUNSEL

MORRIS O'B. CAMPBELL, CLAIMS ATTORNEY

FRANK L. WATSON

LOUIS KOFSKY

ATTORNEYS

DENNIS M. CRONIN

ASST. ATTORNEY

SOUTH STATION

BOSTON, MASS.

May 11, 1901

Mr. Alfred W. Howes,
Chairman, Board of Selectmen,
Southboro, Mass.

Dear Sir:-

I acknowledge receipt of your letter of the 16th inst.
relative to road leading to the house of A. J. Aikens.

I have no information in the railroad files to show that this
is a public way. If you have any evidence to the contrary,
will you be good enough to let me have the same?

Yours truly,


Counsel

June 8, 1931.

Mr. A. J. Aikens
Box 66
Cordaville, Mass.

Dear Sir:

Since yours of May 6, 1931, concerning signals of trains approaching the crossing near your home, we have taken up the matter with the Boston and Albany Railroad. They advised us that they have no information in the railroad files to show that this is a public way and if we have evidence to the contrary, they would be pleased if we could let them have it.

We understand this matter was brought up once before and at that time a search was made in the Town records and the records of the Registry of Deeds at Worcester, but no one could find anything to indicate that this was a Town road. Consequently, at the present time, we have no evidence to submit to the Boston and Albany Railroad to prove that statutory signals should be given.

It has been said that this was an old road from Southborough to Topkinton and if this is so, the records are so ancient that they are in the files of the City of Marlborough from which the Town of Southborough was set off in 1727.

We shall take up the matter with the officials of the City of Marlborough and see if they can find any records to indicate that this was a Town road previous to the incorporation of the Town of Southborough.

Yours very truly,

Chairman.

Boston & Albany

Mr. George H. Burnett,
Chairman Board of Selectman,
Southboro, Mass.

My dear Mr. Burnett---No doubt you have heard rumors, as have most of us here in Cordaville, regarding the Boston & Albany Railroad's plan to abolish very shortly (Nov. 20?) the service which we have for so many years been accustomed to, the convenience of purchasing our commuters' tickets, etc., and shipping and receiving of merchandise at this beautiful and clean little station. Shall we allow this to become a reality without one word of protest?

Now, in the first place, if the services of this popular and very efficient ticket agent, fine fellow citizen and voter of this town, who has spent much money and time to make his home a credit to this community, is allowed to be dispensed with and, as I understand, a man from Southville Station drafted to open and close Cordaville Station morning and night, one can very plainly see that in a very short time our fine little station, of which us commuters are so proud, will soon become a place where perhaps a certain type of human element will make it a hangout-a menace-with no restraining hand, a matter which is now so ably taken care of, and become a place reeking with filth, etc., and a disgrace.

Under this contemplated plan, if I am taken sick and desire to have my 60-ride book extended, it will be impossible, as I see it, and the book will expire at a total loss to me. To my mind, and others, this is the first step of a plan to close this station entirely in the near future, and if this scheme is allowed to put through it will simply mean that eventually I and other citizens of this town who have purchased homes here will be forced by the B. & A. to either pay more for out tickets, purchase an auto to ride to some distant station or sell our property and locate in other parts.

Now that town water is being installed in our homes, it surely will be an attraction for others to buy property here and commute on this line, and no doubt some intelligent man will soon start manufacturing of some sort in the Cordaville Woolen Mill buildings.

This talk of Mr. J. L. Truden being away on business, I think you will find is the business of talking things over with the Interstate Commerce Commission at Washington and asking their consent to close a number of stations. If our station is once closed, it will be, to my mind, a losing fight to have it reopened. So I, for one, appeal to your board to take immediate action and do all in your power to prevent such a rotten undertaking, if I am not wholly mistaken in my view on this matter.

If apathy is being shown on the part of some citizens who use the B. & A. for transportation, in not protesting to your board, it is because they have not been fully aroused to the danger there is of losing this very valuable service.

Very sincerely,

Harry L. Truden
Mill Street,
Cordaville, Mass.

Nov. 10, 1930.

BOSTON & ALBANY RAILROAD

N. Y. C. R. R. CO., LESSEE

Room #9, Union Station

Worcester, Mass., Nov. 5th, 1930.

Chairman, Board of Selectmen,
Town of Southborough,
Southborough, Mass.

Dear Sir:-

It has been reported by my Bridge
Inspector that the side walk plank on bridge 28.02,
Main Street, just east of Southville station, are in
poor condition and should be renewed. This for your
information.

Very truly yours,

A. M. Sullivan

Supervisor of B&B.

FHG/J

November 14, 1930

Board of Selectmen
Ashland, Mass.

Gentlemen:

We have been informed that on the Old County Road which leads from the [redacted] from Southborough to [redacted]inton near where the Towns of Ashland, Southborough and Hopkinton meet, there exists a very unsafe condition due to destruction by the elements of the bridge across the river.

One side of the bridge has completely fallen down and the other side would hardly bear the weight of a man.

We understand that this road, while it has not been used within the memory of anyone we know of, it is still a town road and can not be abandoned. Consequently we assume that the Towns of Southborough and Ashland would be jointly responsible to anyone receiving injuries as a result of a defect of the bridge.

Would it be possible for the writer or the entire board to confer with you in the near future with a view to taking steps to remedy this dangerous condition?

Yours very truly,

Boston and Albany
November 14, 1930

Mr. Harry C. Thurber
Mill St.
Cordaville, Mass.

Dear Mr. Thurber:

Yours of November 10, 1930 addressed to Mr. Burnett, concerning abandonment of the Boston and Albany Railroad's Station has been referred to me for answer.

The Selectmen feel, as you do, that it would be an injustice to our citizens to close this station and we are doing everything possible to keep the station open.

At the present time, we feel that we will be able to give the Railroad sufficient reason for continuing to operate the station.

Yours very truly,

Chairman

This is a copy of the petition submitted November 26, 1930.

Cordaville, Mass.

Mass. Public Utilities Commissioners,
State House, Boston, Mass.,

Gentlemen;

We, the undersigned residents of Cordaville, Mass., hereby protest against the removing of the Station Agent at the Boston & Albany Railroad Station in this town. We beleive it cannot be done, that the same conditions exist here as at Southville and other stations, whereby the New York Central Railroad agreed when it took over the Boston & Albany Railroad to give just as good service at these stations that the Boston & Albany gave. Before the Agent is removed we desire a hearing, if necessary.

(Signed by 126 residents.)

126

November 28th, 1930.

Chairman of the Board of Selectmen,
Mr. Alfred W. Howes,
Southboro, Mass.,

My dear Mr. Howes,

This is to notify you that on November 26th 1930, a petition was submitted to the Public Utilities Commissioner at the State House. This petition was signed by 126 residents of this town requesting a public hearing, to show why the Station Agent of Cordaville should be removed from that station.

The parents of the school children consider it very dangerous to have no one in attendance there as the children are apt to run out on the tracks as a train is passing by. They will play around the station if there is no one there to stop them. Also the women feel that the station will be an unsafe place to enter, not knowing who might be there. In these days of hold-ups etc., we can not be too careful.

In the event of a hearing we expect the Selectmen of this town to support us in this matter, and ask to hold the meeting in the Hall of the South Union School.

Respectfully,

W. S. Brown / 11/28/30

PROTESTS B. & A. SERVICE CUT

Part Time Station Master at Wellesley Farms

WELLESLEY, Dec 2—The Selectmen at their meeting last night considered a petition and numerous protests from residents of the Wellesley Farms station over the new policy inaugurated yesterday of the Boston & Albany Railroad in reducing the station master service at the station.

There have been day and night station masters employed at the Wellesley Farms station for many years. The ticket office has been open at all hours during which the station itself was open.

Under the new policy established yesterday the night station master service and ticket office service have been withdrawn after 6:45 p. m., although the station waiting room is kept open and heated and lighted until 10 p. m.

The protests received by the Selectmen last night were based on the inconvenience caused by reason of people being unable to buy straight ride tickets or book tickets at the Wellesley Farms station after 6:45 p. m.

Another cause for complaint is that the ticket office, under the new policy, is not now open at all hours during the daytime. The office is open until 11:45 in the forenoon and then remains closed until 2:45 in the afternoon.

Women Alarmed

Among the complaints considered by the Selectmen were those of residents to the effect that their women folk are alarmed over the new condition, which leaves the railroad station without protection of any kind for those who get off trains at the Farms station at night.

The Selectmen voted to lodge a vigorous protest with the Boston & Albany officials and to seek a hearing on the situation. Meanwhile the Selectmen have ordered a policeman to meet all night trains stopping at the Wellesley Farms station.

Maj Edmund Putnam and a number of other prominent citizens of the section are planning a large public protest meeting to be held in the North School shortly.

John McIntosh, a member of the Selectmen, stated today that he had been informed by some of the residents of the Wellesley Farms section that their housemaids were planning to leave their jobs on account of the new policy at the railroad station. These girls, it was said, are afraid to return home on the trains and get off at the Wellesley Farms station without protection.

The Wellesley Farms station is located in a very lonely section and there are no houses in the immediate vicinity.

Selectman McIntosh stated today that the Wellesley Farms station is one of the most extensively used along the line. He said that he counted 82 passengers boarding one of the morning trains recently.

The Selectman pointed to the large increase in the population of Wellesley during the past decade as indicated by the new census. He said that with in that period business at the Wellesley Farms station had increased 140 percent.

He added that this station is so generally used that recently the Boston & Albany was shown the need of establishing a parking space near the station for automobiles. Residents of other sections of Wellesley, also from Weston and Newton Lower Falls, drive to the Wellesley Farms station, park their cars and ride into Boston on the train.

The enclosed is a clipping
which might be of interest
to you in connection with the
subject of the report on
the subject.

Boston and Albany

December 2, 1930

Department of Public Utilities
State House
Boston, Massachusetts

Gentlemen:

It has come to the attention of the Board of Selectmen of the Town of Southborough that Mr. Truden of the Boston & Albany Railroad has advised you that we approve the withdrawal of the agent from the Cordaville Station in the Town of Southborough. We are satisfied that there has been some misunderstanding as we have never at any time approved such action by the Boston & Albany Railroad.

We have this day written to Mr. Truden stating our position in the matter and requesting that he advise you that an error was made and that he understands that the action of the railroad in closing this station was not taken with the approval of the Board of Selectmen of the Town of Southborough.

Yours very truly,

Boston & Albany

December 2, 1930

Boston & Albany Railroad
South Station
Boston, Mass.

Attention: Mr. Truden

Gentlemen:

We understand that your company has filed with the Department of Public Utilities a petition for leave to withdraw the agent from your station in Cordaville.

We further understand that you have stated to the Department of Public Utilities that your action in withdrawing the agent from this station was taken with the approval of the Board of Selectmen of the Town of Southborough.

Sometime ago, the writer and Mr. Burnett, another member of the Board of Selectmen conferred with your Mr. Truden concerning the matter but did not approve your taking off the agent. We simply made no violent objections thereto as we understood from Mr. Truden that the action was a temporary measure only, and that the agent was to be replaced when a new bus route was to be operated to Cordaville. Furthermore, it is should not be construed as preventing any of the patrons of the Boston & Albany Railroad from carrying the matter further if they so desire. We are certain that there must be some misunderstanding about this whole matter.

We have this day written the Department of Public Utilities setting forth substantially the same facts as outlined above and would respectfully request that you also write them that there has been some misunderstanding and that you understand that the Selectmen of the Town of Southborough never approved the withdrawal of the agent from the Cordaville station.

Yours very truly,

BOSTON & ALBANY RAILROAD

N. Y. C. R. R. CO., LESSEE

SOUTH STATION

J. L. TRUDEN,
GENERAL SUPERINTENDENT

BOSTON, MASS. December 5, 1930.

B + A. R.R.

Mr. Alfred W. Howes,
Chairman, Board of Selectmen,
Town of Southboro,
Southboro, Mass.

My dear Sir:

I am very sorry that any action of mine has caused any misunderstanding. At the conference which I had with Mr. Burnett and yourself, we understood perfectly that you were in no way committing the Town, and that you were simply expressing your personal views when you said that you would not vigorously oppose our taking off the agent as an experiment, until we had a chance to see how this would work out.

I am sending a copy of this letter to the Department of Public Utilities.

Yours very truly,


General Superintendent.

Cordaville Rd. P. F. D.
Southboro, Mass.
Dec. 3, 1930.

Mr. Alfred W. Howes
Chairman of the Board of Selectmen
Southboro Mass.

B + A. R.R.

Dear Sir,

In regard to the removal of the agent from the Cordaville station, would you kindly inform me if Mr. George Burnett, as an individual, made an agreement with the Boston and Albany railroad, or did the Board of Selectmen as a body make an agreement with said railroad company?

Hoping you will find it convenient to make an early reply, I remain

Yours respectfully
W. C. Palmer.

B-1
100

December 5, 1930

Mr. William C. Palmer
Cordaville Road

Dear Mr. Palmer:

In regard to yours of December 3rd, I wish to advise that the Board of Selectmen has positively made no agreement with the Boston & Albany Railroad Company concerning the removal of the agent from the Cordaville Station.

On the contrary, Mr. Burnett and the writer called upon Mr. Gordon of the Boston & Albany Railroad some three or four weeks ago, and did everything possible to convince him that the agent should remain in the station.

I trust this is the information you desire.

Yours very truly,

Chairman of the Board of Selectmen
of the Town of Southborough, Mass.

BOSTON & ALBANY RAILROAD

N. Y. C. R. R. CO., LESSEE

SOUTH STATION,

W
B

GEORGE H. FERNALD, JR.,

COUNSEL.

WM. L. PARSONS, ASSISTANT COUNSEL.

MORRIS O'B. CAMPBELL, CLAIMS ATTORNEY.

FRANK L. WATSON,

LOUIS KOFSKY,

ATTORNEYS.

BOSTON, MASS. December 17, 1924.

R. H. Oveson, Esq.,
15 State Street,
Boston, Mass.

Dear Sir:

I enclose herewith, duly executed, duplicate original of agreement dated September 2, 1924, with the Town of Southborough covering waterpipe at Southville. This is for the files of the town.

I note you changed the rental in this agreement from \$5. to \$1. I assumed that Mr. Fernald had explained to you that even at \$5. a year we do not get our actual expense back on these agreements. That is the reason we have made \$5. a year our minimum. I have, however, let this go through.

Yours truly,

Enc.


Attorney.

Bra

WALDO L. FAY

SOUTHBOROUGH, MASS.

10th Dec '13

Chas L. Fairbanks Esq.

121 Mt Fairbanks.

Replying to Yours of even date.

The only amt recd on a/c Trade
Crossings is \$1735.⁵⁰ from B. & A. R. R.

Aug. 25th The settlement from the State
is due today, & I will advise you
in the matter when I receive it.

Yours
W. L. Fay

CHOATE & HALL.

CHARLES F. CHOATE, JR.
JOHN L. HALL.
—
ATTORNEYS-AT-LAW

506 - 507 SEARS BUILDING,
WASHINGTON STREET.
TELEPHONE. MAIN 3418

BOSTON, MASS. Dec. 5, 1903.

Charles L. Fairbanks, Esq.,
Southborough, Mass.

Dear Mr. Fairbanks:-

I enclose herewith bill of Theodore W. Mord for services as auditor in the Grade Crossing matters. You will see by the enclosed account that the amount of it has been credited to the town and has been paid to the town by the Railroad. Can you look up this matter and ascertain if the town has received the \$934.50 mentioned in the report, which should be paid it by the Commonwealth.

Yours truly,

Chas. F. Choate Jr.

Enclosure.

The amounts to be paid under this apportionment are,

By the Boston & Albany Railroad the sum of seventeen hundred and
thirty-five 50/100 dollars, \$ 1735.50

By the Commonwealth the sum of six hundred and
sixty-seven 50/100 dollars, 667.50

By the Town of Southborough, the sum of two hundred
and sixty-seven dollars, 267.00
\$ 2670.00

I therefore determine and award that the Boston & Albany Railroad
Company should pay to the Town of Southborough the sum of one thous-
and seven hundred and thirty-five 50/100 dollars, \$ 1735.50

That the Commonwealth should pay to the Town the
sum of nine hundred and thirty-four 50/100 dollars, 934.50

The Town of Southborough is to repay to the Common-
wealth in the manner and at the times provided by
Statute the sum of two hundred and sixty-seven
dollars 267.00

leaving a balance of \$ 667.50

which sum equals the determined proportion to be paid by the
Commonwealth.

Copy

*Recd.
A. d. T. -*

Selectmen of Southborough, Petrs.

vs.

Boston & Albany R.R. Company.

Fee of Auditor upon second report of expenditures

\$20.00

Rec'd. payment of Town of Southborough

July, 1903.

Wm. C. Hand

Worcester, ss.

Superior Court.

Equity, No. 536.

Selectmen of Southborough, Petrs.

vs.

Boston and Albany Railroad Company.

Auditor's Second Report.

The undersigned, appointed by the Court under the provisions of the Statute to audit the expenses incurred in making the changes and separation of grade at the several crossings in Southborough, named in said petition, herewith reports to the Court the accounts of expenditures submitted by the Town of Southborough.

The amount of expenditures by the Town of Southborough as allowed by me is two thousand six hundred and fifty dollars	\$ 2650.00
To this is added fee of the auditor to be paid by the Town,	<u>20.00</u>
Total expenditures,	\$ 2670.00

Of this amount sixty-five per cent is to be paid by the Boston and Albany Railroad Company as determined by the Statute, one twenty-five per cent by the Commonwealth, and ten per cent by the Town of Southborough, as apportioned by the Commissioners.

(L.)

BOSTON & ALBANY RAILROAD.

THE NEW YORK CENTRAL & HUDSON RIVER RAILROAD COMPANY, LESSEE.

LAW DEPARTMENT.

ROOM 310, SOUTH STATION.

SAMUEL HOAR, GENERAL COUNSEL
WOODWARD HUDSON, FIRST ASSISTANT
GEORGE P. FURBER, SECOND ASSISTANT (IN CHARGE OF CLAIMS.)

BOSTON MASSACHUSETTS.

April 17th, 1902.

Charles F. Choate, Jr., Esq.,
506 Sears Building,
Boston, Mass.

Dear Sir:-

It seems to be time for an auditing in the matter of the South-borough accounts, and I would suggest the name of Theodore C. Hurd, Esq., Clerk of Courts for Middlesex County, for your consideration for the position of auditor. Mr. Hurd has served in several cases acceptably to all parties, and I suppose will be acceptable to you in this case. I assume that all parties will prefer to have the hearings in Boston by agreement, and therefore that someone living in this vicinity will be preferable to any one in Worcester. If you will sign and return to me the enclosed agreement, I will get the consent of the Commonwealth and get the appointment made.

Very truly yours,

Woodward Hudson.

Assistant Counsel.

CHARLES F. CHOATE, JR.
JOHN L. HALL.
ATTORNEYS-AT-LAW.

506 - 507 SEARS BUILDING.
WASHINGTON STREET.
TELEPHONE. MAIN 3418

BOSTON, MASS. April 17, 1902.

Charles T. Fairbanks, Esq.,
Southborough, Mass.

Dear Mr. Fairbanks:-

Please note the enclosed letter and agreement and let me know what are the wishes of the Board of Selectmen in this matter. Mr. Hurd is well known to me and would be an excellent man for this office if you think him proper.

Yours truly,

Enclosure.

(L.)

BOSTON & ALBANY RAILROAD.

THE NEW YORK CENTRAL & HUDSON RIVER RAILROAD COMPANY, LESSEE.

LAW DEPARTMENT.

Room 310, South Station.

SAMUEL HOAR, GENERAL COUNSEL.
WOODWARD HUDSON, FIRST ASSISTANT.
GEORGE P. FURBER, SECOND ASSISTANT, (IN CHARGE OF CLAIMS.)

BOSTON, MASSACHUSETTS.

April 25th, 1902.

Charles F. Choate, Jr., Esq.,
Sears Building, Boston, Mass.

Dear Sir:-

What have you to say in regard to the appointment of Mr. Hurd as auditor in the matter of the Southborough grade crossings, about which I wrote you on the 17th inst.? I should like to get this matter started.

Very truly yours,

Assistant Counsel.

*For Mr. Fairbanks
12-13-1902
New York*

CHARLES F. CHOATE, JR.
JOHN L. HALL.
ATTORNEYS-AT-LAW.

506 - 507 SEARS BUILDING,
WASHINGTON STREET.
TELEPHONE, MAIN 3418

BOSTON, MASS. Aug. 5, 1902.

Charles L. Fairbanks, Esq.,
Southborough, Mass.

Dear Mr. Fairbanks:-

Please find enclosed first report of the
auditor in the Cordaville and Southville Grade Crossing cases.
This should go on your files with the other papers.

Yours truly,

Charles F. Choate, Jr.

Enclosure.

CHOATE & HALL.

**CHARLES F. CHOATE, JR.
JOHN L. HALL.
ATTORNEYS-AT-LAW.**

**506 - 507 SEARS BUILDING,
WASHINGTON STREET.
TELEPHONE, MAIN 3418.**

BOSTON, MASS. June 23, 1903.

Charles L. Fairbanks, Esq.,
Chairman, Selectmen,
Southborough, Mass.

Dear Mr. Fairbanks:-

I beg to hand you herewith bill for services in the Boston & Albany grade crossing cases. This covers only the suits for claims arising out of the work and is a charge, which when paid by the Town, can be included in its account against the Railroad and the Commonwealth.

Yours truly,

Charles F. Choate, Jr.

Enclosure.

(L.)

B-2

BOSTON & ALBANY RAILROAD.

THE NEW YORK CENTRAL & HUDSON RIVER RAILROAD COMPANY, LESSEE.

LAW DEPARTMENT.

ROOM 340, SOUTH STATION.

SAMUEL HOAR, GENERAL COUNSEL.

WOODWARD HUDSON, FIRST ASSISTANT.

GEORGE P. FURBER, SECOND ASSISTANT, (IN CHARGE OF CLAIMS.)

BOSTON, MASSACHUSETTS.

June 18th, 1901.

Charles F. Choate, Jr., Esq.,
Southborough, Mass.

Dear Mr. Choate:-

Your letter of the 15th inst. reached me this morning, and I note your suggestion that Mr. Charles L. Fairbanks of Southville will be the one to communicate with in regard to matters of settlement arising out of the Southville grade crossing case, during your absence.

We are now willing to assent to your suggestion of an offer of six hundred dollars (\$600) in settlement of the claim of the Second Congregational Church at Southville.

Very truly yours,

Woodward Hudson

Assistant Counsel.

CHOATE & HALL.

CHARLES F. CHOATE, JR.

JOHN L. HALL.

ATTORNEYS-AT-LAW.

506 - 507 SEARS BUILDING,

WASHINGTON STREET.

TELEPHONE, MAIN 3418.

BOSTON, MASS. June 23, 1903.

Charles L. Fairbanks, Esq.,

Chairman, Selectmen,

Southborough, Mass.

Dear Mr. Fairbanks:-

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Yours truly,

Charles F. Choate, Jr.

Enclosure.